



Warringah Urban Fringe Association Incorporated
(WUFA),
PO Box 125,
Belrose, 2085
Ph: 0419 777 502

www.warringahurbanfringeassociation.org.au

19 April 2015,
The Hon. Rob Stokes,
Minister for Planning,
Level 34 Governor Macquarie Tower,
1 Farrer Place,
SYDNEY NSW 2000

Dear Minister,

Oxford Falls Valley and Belrose North Strategic Review, Warringah

I am writing to you regarding the proposed rezoning of land in the Warringah Local Government area.

When land in the Warringah Local Government Area was being brought into the new planning system in 2009, Warringah Council proposed zoning a large area of land as E3 (Environmental Management, one of the Environment Protection Zones). This proposed E3 zone included large areas of land that is of high environmental value (which we agree should be zoned E3), and other areas of land which is not of high environmental value (which should not be zoned an environmental zone). Due to community outrage at the proposal, the then Minister for Planning, Brad Hazzard, deferred most of the proposed E3 land from WLEP2011 before approving WLEP2011 in December 2011. The land was deferred subject to a Strategic Review being carried out jointly by the Department of Planning and Warringah Council.

Around the same time an independent review was also carried out into land proposed to be zoned Environmental zones on the North Coast of NSW. This review was undertaken for the Department of Planning by a prominent environmental consulting company (Parsons Brinkerhoff). The finding of the independent review provided clear direction to the Department of Planning over what land was acceptable to be zoned as an Environmental zone. It was this clear direction that culminated in the following instructions being issued to Warringah Council:

- 1) Brad Hazzard Letter to Warringah Council dated 17 March 2014 (Appendix A)
- 2) Dept of Planning email from Neil McGaffin (General Manager Metropolitan Delivery, Department of Planning) dated 15 May 2015 (Appendix B)
- 3) Pru Goward letter dated 27 August 2014 (Appendix C)

As part of Stage 1 of the Strategic review process the Warringah Development Assessment Panel (WDAP) held a public hearing and came to a **unanimous** recommendation that Council:

“not proceed with approval of a Gateway approach for this Planning Proposal at the present time and that, instead, they commence immediately to implement stage 2, undertaking the detailed work required to finally decide on the values of the deferred lands and their relevance for an environmental (or other) zoning in the LGA of Warringah”. The recommendation of WDAP can be found in Appendix D.

On 23 January 2015, Marcus Ray (Acting Deputy Secretary, Planning Services, Department of Planning and Environment) wrote to Warringah Council on behalf of the Minister for Planning. This letter can be found in Appendix E. Mr Ray's letter represented a major change in direction by the Department of Planning in that it appeared to endorse the zoning of land that was of low to moderate environmental value as an environmental zone. This land included the C3 Church at Oxford Falls, Oxford Falls Grammar School and many other properties that are clearly of low to moderate environmental value.

Subsequent to Marcus Ray's letter of 23 January 2015, a select group of landowners in the deferred area met with Brad Hazzard and representatives from the Department of Planning. This select group of landowners included the General Managers of C3 Church Oxford Falls and Oxford Falls Grammar School. In this meeting it was expressed by C3 Church that the community has lost faith in the Strategic Review process. This was a very succinct and accurate description of the community's view on the Strategic Review process. As a result of this meeting Marcus Ray has written us a letter dated 27 March 2015 (Appendix E). Although this letter retracts slightly from Marcus Ray's earlier letter of 23 January 2015, it now leaves the Strategic Review process in a very undefined state that still lacks the community's faith.

Appendix F of this letter contains a letter that I have written to Marcus Ray in order to try and clarify some outstanding issues.

Appendix G of this letter contains a letter that I have written to Minister Pru Goward in regards to her having been misled by Warringah Council. We have never received a response to this letter.

WUFA requests your urgent intervention in this process to ensure our members (C3 church, schools, tennis centre, golf club, nurseries and over one hundred private landowners) are not unfairly zoned as an Environmental Zone, and that Stage 2 of the Strategic Review be undertaken by an independent organisation (under the instruction of the Department of Planning) urgently so minimum lots sizes and correct strategic zonings can be applied. We ask you to keep the whole area deferred until Stage 2 of the Strategic Review is completed. This approach will be in accordance with the unanimous recommendations of the Warringah Development Assessment Panel. This recommended process will also allow the deferred area to be considered in regard to the recently released "A Plan for Growing Sydney".

I would like to request a meeting between six representative landowners and yourself to discuss this issue.

Yours sincerely,



John Holman BE (Hons), MBA

President

Warringah Urban Fringe Association Inc. (WUFA)

Email: president@warringahurbanfringeassociation.org.au

CC Minister Brad Hazard (Member for Wakehurst), Jonathon O'Dea (Member for Davidson), Carolyn McNally (Secretary Department of Planning)



The Hon Brad Hazzard MP
Minister for Planning and Infrastructure
Minister Assisting the Premier on Infrastructure

Mr Rik Hart
General Manager
Warringah Council
Civic Centre
725 Pittwater Road
DEE WHY NSW 2099

13/20719



Dear Mr Hart-

I am writing concerning the Oxford Falls Valley and Belrose North Strategic Review.

The review was initiated to examine the deferred land under the *Warringah Local Environmental Plan 2011* following concerns raised by residents.

I appreciate that this has been a complex process which has included extensive analysis of both environmental and infrastructure constraints, while considering the overall impact land uses may have on the existing character of the area. An important part of the overall process has been consultation with the community.

Permitting additional uses on some land will suitably respond to landowner submissions. However, it is of concern that a large number of landowners objected to the proposed environmental zone being applied to their land, mainly on the basis that the land was cleared and contained little environmental value, as well as the loss of development potential.

On 23 December 2013, Council responded to my earlier correspondence requesting a commitment to undertaking studies as recommended by the Planning Assessment Commission in 2009 effectively being stage 2 of the Strategic Review. The Commission identified that additional studies be undertaken to assess the cumulative impact of potential development and determine the urban capability of the Oxford Falls Valley and Belrose North catchment. It was requested that these studies be completed within a 5 year timeframe (ie. in 2014).

These studies will provide the evidence base to assure the community that the most appropriate land uses, zoning and development controls are being proposed. In light of the above, Council's proposed 3 year timeframe should be significantly reduced. I request Council submit a revised timeframe that is more closely aligned with the Commission's recommendations.

Additionally I request that all land identified in the Strategic Review as having no-to-moderate environmental development constraints and proposed to be an Environmental zone, be further reviewed to validate the environmental significance of the land. The subject land will continue to remain deferred until such time that further evidence based planning is undertaken.

I understand the next steps in the Strategic Review process will be:

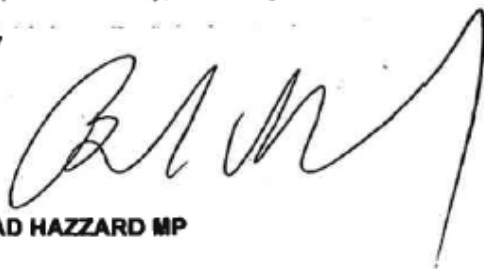
- commencement of the studies as discussed above;
- the Warringah Development Assessment Panel (WDAP) will consider all submissions, conduct an independent public hearing and provide an independent report to Warringah Council for consideration;

- following WDAP, the Strategic Review and Submissions Report will be reported to a Council Meeting for adoption; and
- the final recommendations of the Strategic Review, once adopted by Council, will form the basis of a planning proposal to incorporate the deferred lands into the *Warringah Local Environmental Plan 2011*. This planning proposal will be publicly exhibited for further public comment.

I have asked my Department to make the Submissions Report and this letter publicly available to promote an open and transparent planning system.

If you have any further enquiries about this matter, I have arranged for Mr Neil McGaffin, General Manager Metropolitan Delivery, to assist you. Mr McGaffin can be contacted on 02 9228 6162.

Yours sincerely

A handwritten signature in black ink, appearing to read 'B. Hazzard', written over a faint dotted line.

THE HON BRAD HAZZARD MP
Minister

17 MAR 2014

Appendix B – Email from Neil McGaffin (15 May 2014)

To: Council general managers and key stakeholders
From: NSW Department of Planning & Environment
Date: 15 May 2014

Oxford Falls Valley and Belrose North Strategic Review

I am writing to provide an update on the Oxford Falls Valley and Belrose North Strategic Review, which was prepared by the Department of Planning & Environment and Warringah Council.

The review process is now complete. As a result of public submissions, council has been asked to re-examine land that was proposed to be zoned E3 Environmental Management and also identified as having no or moderate environmental development constraints.

This land - which makes up a large amount of the area proposed to be zoned E3 - **will continue to be deferred from Warringah's local environmental plan (LEP) until further studies are undertaken to identify the most appropriate zone.**

Other land within the precinct has been recommended for zones including low density and large lot residential, small lot rural production and for special infrastructure purposes. For these sites, planning proposals will need to be prepared by council to rezone the land in line with the Strategic Review's findings.

It needs to be highlighted that lawfully-established land uses in the area can continue to be carried out or be expanded as an "existing use".

The Submissions Report and Strategic Review have now been forwarded to the Warringah Development Assessment Panel which will consider all submissions made during the exhibition period, conduct an independent public hearing, and provide a report to council. Council will then consider the outcomes of the Strategic Review.

Council will also need to undertake further studies to determine the future urban development capability of the Oxford Falls Valley and Belrose North area.

More information

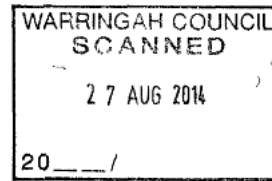
To learn more about the Oxford Falls Valley and Belrose North Strategic Review you can:

- [visit our website to view the proposed changes](#)
- call our Information Centre on 1300 305 695.

Neil McGaffin
General Manager – Metropolitan Delivery
Department of Planning and Environment



The Hon. Pru Goward MP
Minister for Planning
Minister for Women



Councillor Michael Regan
Mayor
Warringah Council
Civic Centre 725 Pittwater Road
DEE WHY NSW 2099

14/09808



Dear Councillor Regan

I refer to your recent letter relating to the Oxford Falls Valley and Belrose North Strategic Review.

I note your letter relates to an email sent on 15 May 2014 by the Department of Planning and Environment to the Oxford Falls Valley and Belrose North Strategic Review stakeholder group.

The then Acting Secretary of the Department replied to Mr Malcolm Ryan, Deputy General Manager of Warringah Council, in relation to this matter on 6 June 2014. I have attached a copy of this letter for your information.

I am advised the Warringah Development Assessment Panel hearing was held on 18 June 2014 and the Panel recommended to Council that it immediately commence work on the detailed evidence based specialist studies required to inform an appropriate zoning layout for the area.

The Department will await the outcomes of these studies and will continue to work with Council in its consideration of options for moving forward for this strategically significant area.

If you have any further enquiries about this matter, I have arranged for Mr Simon Manoski, at the Department of Planning and Environment, to assist. Mr Manoski can be contacted on 02 9228 6565.

Yours sincerely

Pru Goward MP
Minister for Planning
Minister for Women



Planning & Environment

Office of the Secretary

Mr Malcolm Ryan
Deputy General Manager – Environment
Warringah Council
DX 9118
DEE WHY NSW 2099

14/08651

COPY

Dear Mr Ryan

I refer to your recent letter relating to the Department's 15 May 2014 email to the Oxford Falls Valley and Belrose North Strategic Review stakeholder group.

As you have noted the email reflects the information contained in the former Minister's letter of 17 March 2014 which is available on the Department's website.

In that letter the Minister asked the Department to make the Submissions Report publicly available to promote an open and transparent planning system and identified that land having no to moderate environmental constraints to development would continue to remain deferred until such time as further evidence based planning is undertaken. In this light an email was forwarded on 15 May 2014 to notify stakeholders that the Submissions Report had been completed and was now available on the Department's website.

I note that the Department and Council previously agreed that the Submissions Report would be forwarded to the Warringah Development Assessment Panel for its consideration, and that the Panel would hold an independent public hearing. The Department's email to stakeholders confirmed these next steps would occur, and that Council would then consider the outcomes of the Strategic Review. I encourage Council to follow through with these next steps, and that the Panel holds its public meeting proposed for 18 June 2014.

As discussed recently with you, the Department will continue to work closely with and support Council in its consideration of options for moving forward.

If you have any further enquiries about this matter, I have arranged for Neil McGaffin, General Manager, Metropolitan Delivery to assist you. He can be contacted on 02 9228 6565.

Yours sincerely

Carolyn McNally
Acting Secretary

6.6.14



MINUTES

WARRINGAH DEVELOPMENT ASSESSMENT PANEL MEETING

held in the Council Chambers, Civic Centre, Dee Why on

WEDNESDAY 18 JUNE 2014

RECOMMENDATION OF WARRINGAH DEVELOPMENT ASSESSMENT PANEL

Reluctantly, WDAP unanimously recommends to the Councillors of Warringah that they do not proceed with approval of a Gateway approach for this Planning Proposal at the present time and that, instead, they commence immediately to implement stage 2, undertaking the detailed work required to finally decide on the values of the deferred lands and their relevance for an environmental (or other) zoning in the LGA of Warringah

523/14 RESOLVED

Cr Menano-Pires / Cr Regan

1. That Council notes:
 - A. That Council staff have consistently followed the methodology determined by the NSW Department of Planning and Environment.
 - B. The conflicting advice it has received from the NSW Department of Planning and Environment and from the former Minister.
 - C. The residents' concerns regarding the review of their individual parcels of land by the NSW Department of Planning and Environment led team.
 - D. That the previous Council was in favour of Stage 2 of the Planning and Assessment Commission recommended studies being carried out immediately.
 - E. That the E3 zone is being reviewed by the NSW Department of Planning and Environment.

2. That Council:
 - A. Requests the NSW Department of Planning and Environment to consider the report which is Item 8.1 on tonight's agenda and make a determination by selecting one of the five options.
 - B. Recommends the renaming of the E3 zone to address public concern about the implications of having a zone entitled "Environmental Management".
 - C. Recommends that Stage 2 of the Planning and Assessment Commission recommended studies be carried out immediately by the State Government.
 - D. Expresses its concern to the State Government at the rising costs of unnecessarily administering two Local Environmental Plans.
 - E. Informs affected landowners of this resolution.



**Planning &
Environment**

Office of the Secretary

Mr Rik Hart
General Manager
Warringah Council
Civic Drive – 725 Pittwater Road
Dee Why NSW 2099

14/18047

Dear Mr Hart

Thank you for your letters of 11 and 17 September 2014 relating to the Oxford Falls Valley and Belrose North Strategic Review and deferred land from the Warringah Local Environmental Plan 2011. The Minister has asked me to reply on her behalf.

I note Warringah Council's resolution on 26 August 2014 requesting that the Department of Planning and Environment determines the deferred land based on the various options presented to Council.

I note that this has been an extensive and complex process with a high level of community interest. It is important that the land does not continue to remain deferred so that surrounding landowners and the broader community are given certainty. Resolution of this will allow for a single Local Environmental Plan to cover the Warringah Local Government Area.

There is sufficient evidence to implement the findings of the Strategic Review by translating the existing character-based controls into zones in the Warringah Local Environmental Plan 2011. I consider that this is an appropriate way forward.

The majority of the land in the Oxford Falls Valley and Belrose North area has clear environmental value. These areas should be considered for an E3 Environmental Management zone consistent with the findings of the Strategic Review (Option Two - Land Use Zoning Map reported to Council on 26 August 2014).

Land mapped as having 'no to moderate' environmental constraints should be zoned to reflect the existing character, level of clearing and current land uses. The land in this category along the Wakehurst Parkway should be zoned E4 Environmental Living.

Council may wish to consider expanding the current permitted land uses for the E4 Environmental Living zone to include environmental facilities, extensive agriculture, farm buildings, home industries, horticulture where consistent with the mandatory land uses of the zone. It is noted the current objectives for the zone specifically cater to water-related business and leisure uses, and these would also need to be expanded.

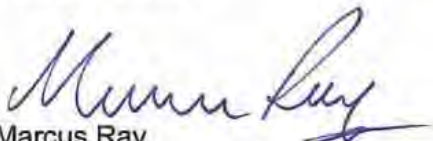
Additionally, I encourage Council to separately begin the Stage 2 analysis to review the minimum subdivision lot size controls following the rezoning of the land. Any additional

studies will be the responsibility of Council and form the basis of a future planning proposal.

I therefore request Council submit a planning proposal for the deferred land seeking a Gateway determination within three months of the date of this letter. I have asked the Metropolitan (CBD) team to continue working with Council throughout the plan making process.

If you have any further enquiries about this matter, please contact Mr Lee Mulvey, Director of the Department's Metropolitan (CBD) team, on (02) 8575 4140.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Marcus Ray', with a stylized flourish at the end.

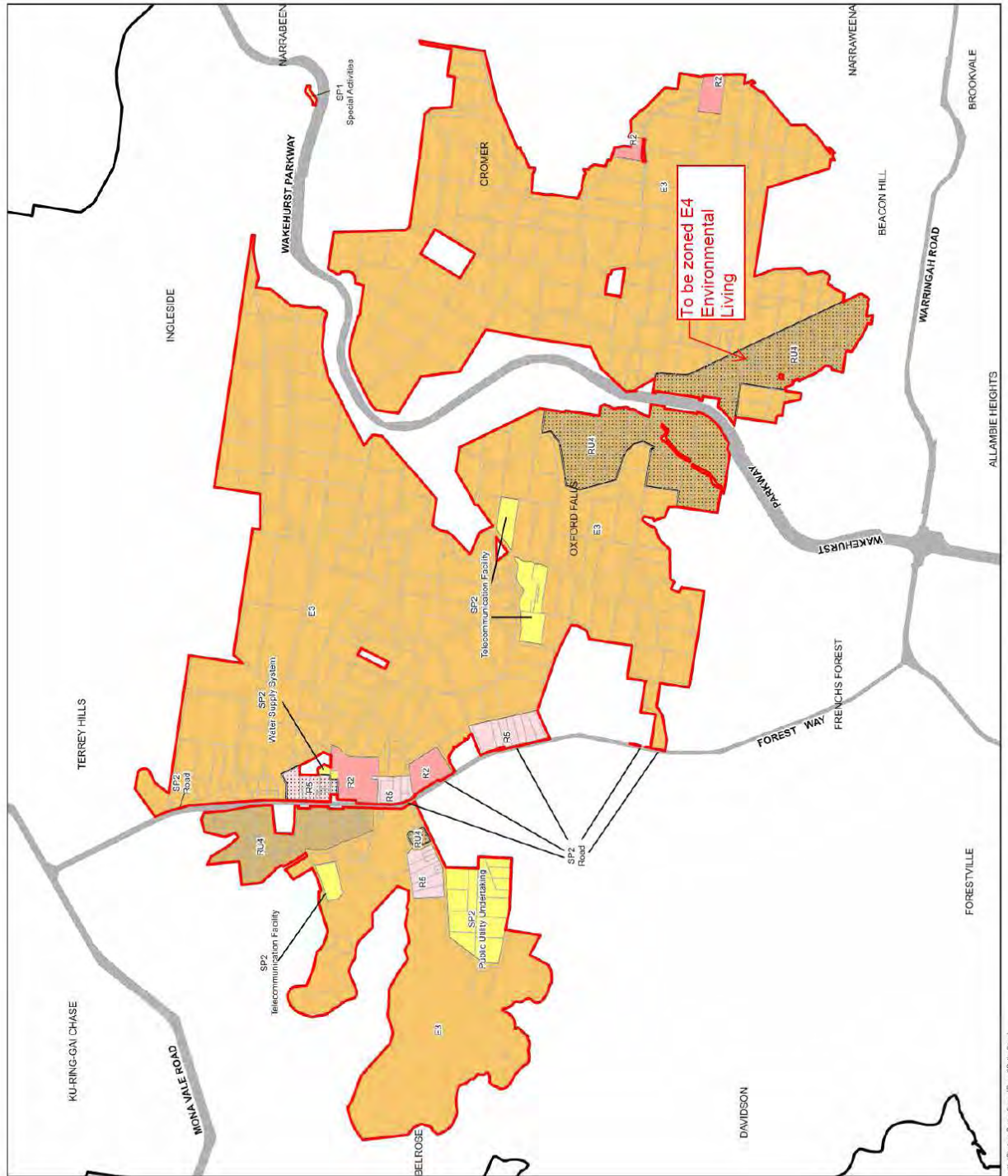
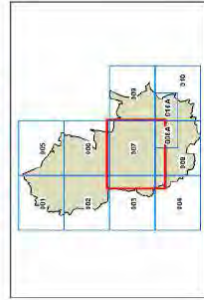
Marcus Ray
Acting Deputy Secretary
Planning Services

23/01/15

Option 2 : Land Use Zoning Map

Oxford Falls Valley and Belrose North Strategic Review

- WLEP 2011 Land Application Map**
- Defined matter (Study Area)
 - WARRINGAH
 - Constitute**
 - Catastrophe 26/07/2014 © Warringah Council
 - Water Roads
 - Draft Land Zones**
 - E3 - Environmental Management
 - R2 - Low Density Residential
 - R3 - Large Lot Residential
 - RU4 - Primary Production Small Lots
 - SP1 - Special Activities
 - SP2 - Infrastructure
 - Alternatives to E3 Zone**
 - R5 - Alternative to E3
 - RU4 - Alternative to E3





Mr John Holman
President
Warringah Urban Fringe Association
PO Box 125
Belrose NSW 2085

15/03195

Dear Mr Holman

Thank you for writing to the Hon. Pru Goward MP and to the Department about the Oxford Falls Valley and Belrose North Strategic Review.

I have noted the issues you have raised in your correspondence and at a recent meeting with the Hon. Brad Hazzard MP on 6 March 2015, at which representatives from the Department of Planning and Environment attended. It is important that land within the Oxford Falls Valley and Belrose North area does not continue to remain deferred so that surrounding landowners and the broader community are given certainty as to the zoning of the land. Resolution of this will allow for a single local environmental plan to cover the Warringah Local Government Area.

I have outlined below answers to matters raised in your letter and the recent meeting referred to above.

Seniors housing

Under Warringah LEP 2000, seniors living development is currently permissible. Although this use would be prohibited under the E4 zone, Council may include seniors living development as an additional permitted use.

Zoning of schools and places of public worship

Under Warringah LEP 2011, schools and places of public worship generally adopt the adjoining zone, consistent with Department policy. In this regard, it is appropriate the schools and places of public worship within the Oxford Falls Valley and Belrose North area also adopt the surrounding zone.

Under *State Environmental Planning Policy (Infrastructure) 2007*, development for the purpose of an educational establishment, including augmenting existing facilities, is permissible within an E4 zone.

With regard to places of public worship, I can confirm it would become a prohibited use under the E4 zone. While it can continue to operate under existing use rights, there is an opportunity for Council to include places of public worship as an additional permitted use to the E4 zone.

Next steps

The Department has asked Warringah Council to prepare a planning proposal seeking a Gateway determination for the deferred land. The Department expects the planning proposal submitted by Council will include adequate justification supporting all proposed zones. It will also address the strategic framework for Sydney, including *A Plan for Growing Sydney*.

In particular council will have to adequately justify to the Department at Gateway that the land identified as having no-to-moderate environmental development constraints should be made an environmental zone. It is expected that Council will undertake its own analysis in deciding which particular zones to adopt for this area.

If council does propose an environmental zone the Department has asked the council to consider including the broadest range of permissible uses that are consistent with the zone objectives. This will ensure that the new zoning is the best possible translation of the existing character based controls to the new zoning format.

Should Council lodge a planning proposal, the Department will assess the merits of the proposal against the outcomes of the Oxford Falls Valley and Belrose North Strategic Review, before deciding whether to issue a Gateway determination.

If a Gateway determination is issued for the planning proposal to proceed, the proposal will be publicly exhibited for further consultation. I would encourage the Warringah Urban Fringe Association to make a submission at this time. All submissions will be carefully considered as part of the assessment of the planning proposal.

I request that any information or correspondence issued by the Department or Minister for Planning, including this letter, which is reproduced by Warringah Urban Fringe Association for its purposes be reproduced in full to avoid any potential misrepresentation of the content.

Finally, I would like to reiterate that it is the Department's clear position that this planning proposal should only seek to translate the existing controls into the format of the Warringah LEP 2011. This proposal is not expected to change other development controls applying to the land, including minimum subdivision lot sizes. The Department has encouraged Council to continue to assess the urban development capability of the land with a view to changing the planning and development controls, as necessary. This may include future amendments to zones if additional studies adequately justify a change through a later planning proposal.

If you have any further enquiries about this matter, please contact Mr Lee Mulvey, Director of the Department's Metropolitan (CBD) team, on (02) 8575 4140.

Yours sincerely



Marcus Ray
Deputy Secretary
Planning Services

27/03/2015



**Warringah Urban Fringe Association Incorporated
(WUFA),
PO Box 125,
Belrose, 2085
Ph: 0419 777 502**

www.warringahurbanfringeassociation.org.au

19 April 2015,
Mr Marcus Ray,
Deputy Secretary,
Planning Services,
Department of Planning & Environment,

Dear Mr Ray,

Oxford Falls Valley and Belrose North Strategic Review, Warringah

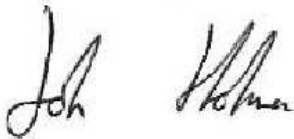
Thank you for your letter dated 27 March 2015. Your letter addresses some of the issues raised. I have outlined below what we see as critical issues that require a formal response from the Department of Planning:

- 1) Will any land in the deferred area, that is of low to moderate environmental value be allowed to be zoned an environmental zone by the Department of Planning?
- 2) What scientific evidence will be required in order to justify zoning land as an environmental zone?
- 3) Is the Department of Planning of the view that evidence has been provided that justifies zoning any land in the deferred area as an environmental zone? If so can you please provide a copy of this evidence?
- 4) If owners of land in the deferred area have had independent reports produced by environmental experts stating that their land is of low to moderate environmental value, does this mean the Department of Planning will ensure that the said land will not be zoned an environmental zone?
- 5) Will land in the deferred area, that is currently zoned to include Seniors living as an allowable use under current zoning be allowed to be zoned an Environmental zone by the Department of Planning (thereby extinguishing the ability to have Seniors living)?
- 6) We note that Helen Wilkins currently works for the Department of Planning. Helen Wilkins was a Warringah Councillor from 2008 to 2012. During her time on Warringah Council, Helen Wilkins voiced strong views that the whole deferred area should be zoned E3. Helen Wilkins is currently the registered officer for the "Your Warringah" political party. The Your Warringah political party currently hold 6 of the 10 Councillor positions (including the Mayoral position) on Warringah Council. We seek your assurance that Helen Wilkins has had no involvement or influence over the Strategic Review, and that she will continue to have no involvement or influence over the Strategic Review, or any subsequent planning proposal determination.

7) I have made a GIPA request to Warringah Council for all documents and correspondence relating to the Strategic Review. Warringah Council originally provided 30 documents in response to the GIPA request. On my insistence there were more documents that had not been provided, Warringah Council provided a further 60 documents. Upon further insistence that there are many more documents, Warringah Council have now found in excess of 1500 documents relating to my original request. Warringah Council have stated they plan to charge me in excess of \$1,500 for the supply of this information. This unwillingness of Warringah Council to provide documents relating to the strategic review is a bad sign for openness in the Strategic review process for which the Department of Planning is a partner. I ask that the Department of Planning either pay the required fee for the documents to be released, or encourage Warringah council to release the documents free of charge.

I look forward to your response to these issues.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'John Holman', written in a cursive style.

John Holman

President

Warringah Urban Fringe Association Inc. (WUFA)

Email: president@warringahurbanfringeassociation.org.au

cc Minister Rob Stokes (Minister for Planning), Minister Brad Hazard (Member for Wakehurst), Jonathon O'dea (Member for Davidson), Carolyn McNally (Secretary Department of Planning)



Warringah Urban Fringe Association Incorporated (WUFA),

PO Box 125,
Belrose, 2085

Ph: 0419 777 502

www.warringahurbanfringeassociation.org.au

22 March 2015,
The Hon. Pru Goward,
Minister for Planning and Environment,
Level 34 Governor Macquarie Tower,
1 Farrer Place,
SYDNEY NSW 2000

Dear Minister,

You have been misled about the Oxford Falls Valley and Belrose North Strategic Review, Warringah

The community has lost faith in the Strategic Review process. The issues that have caused the community to lose faith are:

- 1) The Council keeps insisting that E3 (or E4) zoning of our members land is not a downzoning, despite Senior's living currently being allowed. Seniors living is currently allowed on land in the deferred area (which is adjacent to residential land) through both WLEP2000 (the current zoning) and SEPP (Seniors Living). An environmental zoning of this land (as E3 or E4) would extinguish the ability to carry out seniors living development, hence E3 or E4 is a downzoning.
- 2) The Council's (and Strategic Review Committee's) inability to adequately address the current minimum lot size of one house per 200,000m², despite the fact that this minimum lot size was put in place as a temporary measuring in 1976. The community was told (in 1976) this would be corrected within 6 months from when it was put in place.
- 3) The fact that Warringah Council have chosen to ignore the instruction issued by Brad Hazzard as Minister for Planning on 17 March 2014.
- 4) The fact that Warringah Council have chosen to ignore the instruction issued by the Department of Planning (Neil McGaffin) on 15 May 2014.
- 5) The fact that Warringah Council have chosen to ignore the **unanimous** recommendation of the Warringah Development Assessment Panel.
- 6) The fact that Warringah Council have chosen to ignore the guidance provided in your letter received by Council on 27 August 2014.

We recently lodged a GIPA request with Warringah Council which covers all correspondence between Warringah Council, the Department of Planning and Ministers for Planning. In response to this request we have received a lot of documents which are not on the public record. One of the documents is a letter from

Warringah Council (Rik Hart, General Manager was the author) to you as Minister for Planning dated 17 September 2014 (see attached). This letter serves to mislead you and was not publicly released (presumably because it does not hold up to public scrutiny). Below is an extract from the letter:

The Warringah community, at the 2009 Talk of The Town summit, gave a clear message that urban growth targets should not be achieved in non-urban lands. Council endorsed this position. There is no strategic need for this land to develop for urban purposes.

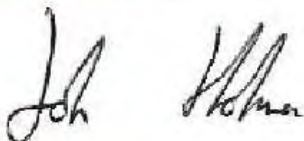
This statement is wrong. I have attached the Talk of the town summit results and you will notice the following:

1. Page 14 of the results shows the communities answer to the question "To meet the housing targets should development be allowed in non-urban areas?" The response being 45% Yes, 45% No and 9% unsure.
2. On pages 15, 16 & 17, the question is posed "In Ward X, which centres do you think are suitable for accommodating further growth?", it then lists suburbs as options for further growth. Despite having large attendance by residents from suburbs in the deferred areas (refer to page 5 of the results), none of the suburbs in the deferred area were available as an answer to the question. This is despite Warringah Council's own Non Urban Lands Study having identified land in Cromer, Oxford Falls and Belrose (the deferred areas) as being suitable for urban release.
3. On page 21, the question is posed "Housing Type Preference I would prefer", to which 61% replied "To live further away from shops, public transport and employment to live in a larger house or on a larger property"

The only way the community will regain faith in the Strategic Review process is for an independent consultant to be appointed by the Department of Planning to investigate both the proposed future zonings and minimum lot sizes for the land in the deferred area, and for the deferred area to remain deferred until this is done.

We are currently waiting for a formal response to the issues that we have raised.

Yours sincerely,



John Holman

President

Warringah Urban Fringe Association Inc. (WUFA)

Email: president@warringahurbanfringeassociation.org.au

CC Brad Hazzard, Jonathon O'Dea, Simon Manoski, Marcus Ray, All Warringah Councillors



17 September 2014

The Hon. Pru Goward, MP
Minister for Planning
Minister for Women
GPO Box 5341
SYDNEY NSW 2001

Your ref 14/09808
Our ref. Pex2012/0006
2014/287699

Dear Minister

Oxford Falls Valley and Belrose North Strategic Review

Thank you for your letter referenced 14/09808, regarding Oxford Falls and Belrose North Strategic Review. I advise that Council will not be commencing any detailed specialist studies for Oxford Falls Valley and Belrose North.

Council had undertaken the translation exercise as directed by the Department of Planning in 2006 from Warringah Local Environment Plan 2000 into the standard instrument. However, at the gazettal of Warringah Local Environment Plan 2011, the Oxford Falls Valley and Belrose North areas were deferred from the new plan by the former Minister of Planning, Mr Brad Hazzard. In 2012, the Department of Planning commenced a joint project with Council to review and transfer the deferred lands into Warringah Local Environment Plan 2011.

In this project, the process, methodology and recommendation have all come from the Department of Planning and Environment with Council's staff involvement and concurrence on the outcomes. This has been an extensive and costly exercise (for both Council and the Department) to undertake a second round of reviews to translate the previous controls into the standard instrument.

The extensive studies you raise in your letter originate from the 2008 PAC study, *Review of Four Sites Within Oxford Falls Valley For Urban Purposes*, which was instigated by four major land holders wanting to develop their non-urban land. This is a fundamentally different project to the translation. Further, of the four land holdings identified in the PAC, three of the sites, Red Hill, Lizard Rock and Cromer Golf Course Land are all identified in the Strategic Review as having more than 90% of their land classified as Prohibitive, *severe or significant environmental constraints*.

The Warringah community, at the 2009 Talk of The Town summit, gave a clear message that urban growth targets should not be achieved in non-urban lands. Council endorsed this position. There is no strategic need for this land to develop for urban purposes.

Council has recently commenced a two stage project; a Structure Plan for the Northern Beaches Hospital precinct, which will be followed by the Warringah wide Local

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Planning Strategy. This is costing over \$540,000 of which your department is contributing \$255,000. The rate payers of Warringah are paying the balance. The Local Planning Strategy and Structure Plan will inform where growth should occur and where such studies will be needed to realise the recommendations of these projects.

Expenditure of public funds for urban capabilities studies on land within the deferred areas, would be premature and not a responsible use of the Warringah community's money. The Local Planning Strategy must be completed first to inform where growth should occur and then studies can be targeted to those areas.

In considering the Strategic Review, Council on 26 August 2014 resolved that Council recommend that the State Government should commence these studies immediately.

The attached letter contains the resolution of Council. Please note that although no options were recommended by Council in the resolution, Option 5 was proposed as an amendment but was defeated 8 votes to 2.

Should you have any further enquiries please contact Peter Robinson, Group Manager Strategic Planning on 9942 2768.

Yours faithfully

Rik Hart
General Manager

Attach